

AN OPEN LETTER OF DEPUTY TRAN NGOC CHAU

My countrymen and comrades-in-arms in kien hoa and throughout the country, deputies to the national assembly, gentlemen,

In my letter of Dec. 5, 1969, to the deputies to the national assembly, I promised to depend myself when necessary?

I still honor this decision until the lower house formally carries out articles 37 and 38 of the constitution against my person.

However, in the aftermath of the president's biased accusations against my person and the threats he made in Vung Tau against the national assembly, as well as in the ake of radio and television broadcasts and demonstrations, etc.. I felt the need to send to you this letter to give you and public opinion food for htought.

The spirit of the constitution :

The constitution of Vietnam has 117 articles. To honor the constitution means to honor all the articles and the laws emanating from these articles.

Recently, the president and a small number of people have only alleged article 4 in order to condemn me and intimidate all those politicians who disagree with the government.

Why did the president and that small number of people not uphold article 7 of the constitution, and why did they abuse their power and exploited the nation's facilities to slander and and denigrate me over the radion and television, in the press and demonstrations encouraged or authorized by the government. Article 7, section 8, clearly states that "defendents are considered innocents until they are definitely found guilty by a court. In case of doubt, the court will rule in favor of the accused".

Article 4 of the constitution :

Thus, even though I may be affected by article 4 of the constitution, I am still an innocent man.

Article 4 of the constitution says clearly that : "that republic of Vietnam opposes

communism under all forms ; all activities aimed at publicising or promoting communist are strictly forbidden."

I cannot be so cowardly as to deny my brother Tran-Ngoc-Hien's relations and contacts with me (I did not seek to contact my brother). But the contacts were only made discreetly, between two blood brothers, and were never disclosed or publicized in order to publicize or promote communism.

On the contrary, in my contacts with Tran-Ngoc-Hien, I never failed to try to persuade my brother to :

- a. renounce communism,
- b. acknowledge the existence of the republic of Vietnam's regime, and
- c. persuade north Vietnam to have direct negotiations with the republic of Vietnam in order to end the war.

Tran-Ngoc-Hien himself testified to my anti-communist stand at his trial on July 4, 1969. Several newspapers carried this news. Let me quote the daily of July 5, 1969 :

"... the defendant's brother (Tran-Ngoc-Chau) proved himself useless because he opposed communism too strongly."

It could be no means be believed that the above statement was intended to protect me because the documents used to accuse me were also based on other statements by Tran-Ngoc-Hien.

Previously, when talking about my "case" to a number of deputies in the dan tien (people's progress) bloc, the president had said that "Mr. Tran-Ngoc-Chau did not act in any way for the communists but only out of his connections with some american groups." this statement was disclosed to me by Mr. Nguyen-cao-Thang and Mr. Nguyen-cao-Thang, later, confirmed it to other deputies at the dien hong conference hall.

To tell the truth, I did not act either for the communists or for any foreign group.

Even after Mr. Nguyen-cao-Thang retaliated (as I had demanded that the lower house looked into allegations that Mr. Nguyen-cao-Thang had used his money and influence to undermine the national assembly)

by telling the press that I had "records of connections with the communists," premier Tran-thien-khiem denied this news and disclosed that no government agencies had such a dossier (the hoa hinh daily carried this news item which was not denied by anyone).

With the facts just mentioned, there cannot be any pretext for accusing me of violating article 4 of the constitution.

Meanwhile, president Nguyen-van-Thieu himself accepted to talk peace with north Vietnam and the NLF, agreed to allow the NLF to take part in elections. Such steps have enabled the NLF to gain prestige in the international political arena, thereby enabling them to establish a government which was recognized by many countries. The communists could not have achieved such things before the republic of Vietnam agreed to sit down at the conference table with them in paris.

If article 4 of the constitution is to be upheld, then the president's acts just mentioned actually helped the communists publicize and promote communism.

However, I have no intention to accuse the president of violating article 4 of the constitution because I believe that the president's acts (if they were as sincere as those of other Vietnamese and my own) were all aimed at realizing national reconciliation, restore peace in freedom, and not at favoring communism.

The president's accusations :

According to the contents of the "dossier" which the president submitted to the lower house, I was accused of the following crimes:

1. 8 times of contacts, relations and exchange of news with hien without notifying the authorities.
2. support in money, transportation facilities and legal papers for Tran-Ngoc-Hien.
3. existence of the enemy's support for my candidacy to the lower house.

What is the truth :

May I speak out the truth as follows :

1. I wrote to Hien a card agreeing to see him for the first time. The other times Hien always came to see me unexpectedly.

You may understand the situation of two blood brothers who were

separated for 16 years when one of them asked to see the other. Who could be so inhumane as to decline the request ?

Moreover, at that time, I thought that my brother might try to see me in order to surrender to the nationalist cause.

I never exchange news with Hien, but only tried to persuade him by analyzing the situation with a view to making Hien see that the communists could not win victory in south Vietnam. And thus, I intended to persuade Hien to renounce communism or make him persuade the communists to seek an accommodation with the republic of Vietnam in order to end the war.

I wish that you will understand why I did not denounce Tran-Ngoc-Hien. How could I ignore my feelings and traduce my brother to his death ?

I believe that no nationalist could do this.

Moreover, every time Hien met me, I always told Hien that if he refused to heed my advices (a,b,c), he must get back to the north and never see me again.

Apart from such human circumstances and from the fact that the contacts between my brother and me had a family character, high government authorities who knew our relations acknowledged my sincerity. If these authorities, for some noble reasons, prefer to let me defend myself alone before public opinion, I would agree to it and would not disclose their identities and ranks.

2. As a province chief (until the end of 1965), director of the RD training program and commandant of the RD training center in Vung-tau (until the beginning of 1967), I never gave Tran-Ngoc-Hien any document, news or facilities, except an amount of 30 thousand piasters, a car ride from Kien-hoa to my tho and a card authorizing Hien to meet me. This help was given exclusively within the framework of brotherhood and only for once.

In the above-mentioned positions and with available means, I could, if I intended to help the communists, have done much more to support Hien and the communists, especially in 1964 and 1965 when the situation in Kien Hoa and many other provinces throughout the country was critical.

On the contrary, I wrestle with the communist and people.

The result was that the day I was assigned to the RD ministry (November 1965), the leaders of the religions in the province and the provincial council members sent cables to the central government and corps authorities to request for my continued stay. And it is precisely because of my anti-communist record that it. Gen. Nguyen Van Thieu, national directory chairman, awarded me the fourth class national order medal and first class order of merit medal. Both things rarely happens to outgoing province chiefs.

3.- In the electoral campaign for the lower house in Kien Hoa, there were only about 90.000 people out of 500 thousand did vote. These voters were all screened and were in the government-controlled areas.

I was elected among 19 candidates with 38 thousand votes. The majority of my votes were gotten in the provincial capital (I got 8.000 votes while the runner up got less than 3.000) and in the areas where catholic voters lived.

The foregoing are my clarifications about the three accusations by the president as featured in the "dossier" which the president forwarded to the lower house.

Other accusations :

Recently, the armed forces radio and a couple of newspapers in the capital disclosed another accusation, namely, that Tran Ngoc Hien said that Hien entrusted me with the mission of setting up a committee to work with the NLF. In this committee, there were 2 buddhist monks, I politician and I deputy.

I strongly deny and protest this additional accusation and other accusations which may be added later. I never had such activities.

Suppose this disclosure was truthful, why did not the president "dossier" mention it ?

It should be noted that the "dossier" forwarded by the president did not hint at additional evidences while the "dossier" in the hands of a fellow deputy contains this item.

May I caution public opinion that after he was sentenced to live imprisonment, Tran-Ngoc-Hien has been kept in solitary

confinement and has not been visited by his relatives for three months. Was this measure intended to force Tran Ngoc Hien to tell further of my crimes.

My countrymen and comrades-in-arms,
Fellow-deputies,

The foregoing are my clarifications about the "crimes" which the president has charged me of.

I could not guess whether there will be other accusations. However, I believed that the accusations bearing the signature of the president himself must be the most serious and complete accusations.

I agree that all shows of force and display of anti-communist spirit are rightful. But when the "secret" dossier has only been sent to the lower house for consideration and decision, and when the public and even the people who wrote for the radio and TV networks or organized the demonstrations have not been assess the validity of the dossier, any condemnation and indictment before the lower house takes a decision and the court pronounces a verdict are only acts contrary to reason and in violation of both the constitution and existing laws (article 7, section 8 of the constitution now in force).

If anyone still believes that I am guilty, my guilt should be specified as follows /:

"Tran-Ngoc-Chau had the courage to take up arms to kill foreign invaders and the communist during 23 years; but Tran-Ngoc-Chau did not have the courage to traduce his blood brother Tran-Ngoc-Hien who was a north Vietnamese officer".

Although there are serious pressures for accusing me, I still believe that the common sense of the nationalists will not accept any arbitrary measure and accusation against me which are severe than against the communists.

Respectfully,

Saigon, Dec. 24;1969

TRAN NGOC CHAU